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# UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,	)	CRIMINAL INDICTMENT
	)	
PLAINTIFF,	)	CR-S-05- <u>431</u>
	)	
VS.	)	VIOLATION:
	)	18 U.S.C. §§ 922(g)(1) and 924(a)(2) -
DANIEL MAGANA,	)	Felon in Possession of a Firearm
	)	
DEFENDANT.	)	

### THE GRAND JURY CHARGES THAT:

#### COUNT ONE Felon in Possession of a Firearm

On or about June 24, 2005, in the State and Federal District of Nevada,

**DANIEL MAGANA,**

defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: on or about June 16, 2004, in the State of Nevada, defendant was convicted of Possession of a Controlled Substance with Intent to Sell, in case number C193510, Dept. No. XII; did knowingly possess a Ruger, .357 caliber pistol, with serial number 17280296, which firearm was reported as stolen, said possession being in and affecting commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

**COUNT TWO**  
Felon in Possession of a Firearm

On or about June 24, 2005, in the State and Federal District of Nevada,

**DANIEL MAGANA,**

defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: on or about June 16, 2004, in the State of Nevada, defendant was convicted of Possession of a Controlled Substance with Intent to Sell, in case number C193510, Dept. No. XII; did knowingly possess a Colt, AR15, .223 caliber rifle, with serial number SP25586, which firearm was reported as stolen, said possession being in and affecting commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

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**FORFEITURE ALLEGATION**

As a result of the foregoing offense, the defendant shall forfeit to the United States all firearms and ammunition involved in the commission of the violation of Title 18, United States Code, Section 922(g)(1), alleged in Counts One and Two of this Indictment, including but not limited to the following:

1. a Ruger, .357 caliber pistol, with serial number 17280296; and
2. a Colt, AR15, .223 caliber rifle, with serial number SP25586.

All in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), 924(d), Title 28, United States Code, Section 2461(c), and Title 21, United States Code, Section 853.

**DATED:** this 16 day of November 2005.

**A TRUE BILL:**

/S/  
FOREPERSON OF THE GRAND JURY

DANIEL G. BOGDEN  
United States Attorney

PETER S. LEVITT  
Assistant United States Attorney